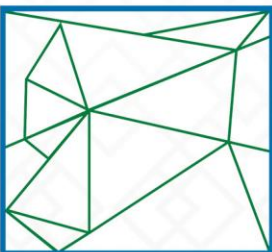


# Syria: Ongoing Crackdown on Freedom of Peaceful Assembly





## **Syria: Ongoing Crackdown on Freedom of Peaceful Assembly**

*All dominant forces in Syria continue unabated to deny persons the basic right to freedom of opinion, expression, and assembly*





The right to peaceful assembly and protest has never been respected in Syria in the last four decades, to say it mildly. Since 2011, the Syrian regime escalated its crackdown against peaceful demonstrators by killing, arresting, torturing, and forcibly disappearing them. However; today, the repressive response to protests is a common practice among all dominant forces including, Hay'at Tahrir al-Sham (HTS), the Türkiye-backed Syrian National Army (SNA), and the Autonomous Administration of North and East Syria (AANES).

Between January 2021 and March 2023, Syrians for Truth and Justice (STJ) monitored no less than 80 peaceful assemblies in different parts of Syria. Most of these assemblies were met by deadly crackdowns; protesters were beaten, arrested, and shot.

In more detail:

- In HTS areas (Idlib): STJ documented nine peaceful assemblies, four of which were met with a violent crackdown and one was prevented on the pretext of not being authorized.
- In SNA areas: STJ documented over 37 peaceful assemblies; at least 11 of them were met with a violent crackdown.
- In AANES areas (including in Deir ez-Zor): STJ documented over 32 assemblies and protests, five of which were met with a violent crackdown.
- In regime areas: STJ documented a number of protests and assemblies, many of which were met with a violent crackdown

In the same vein, Afrin, a previously Kurdish-majority district of Aleppo, witnessed unprecedented peaceful protests following the killing of four Kurdish young men as they were celebrating Newroz, the Kurdish New Year, on March 21, 2023. This was followed by [threats](#) and [attacks](#) on protesters on several occasions.

For their part, 155 Syrian organizations [condemned](#) the killing of the Kurdish civilians calling on the United Nations (UN) to take all necessary measures to protect the civilians in Afrin and throughout Syria and immediately cease the massive violations against them.

According to the UN Human Rights Office of the High Commissioner, “Everyone has the rights to freedom of peaceful assembly and association, which are essential components of democracy. The right of peaceful assembly includes the right to hold meetings, sit-ins, strikes, rallies, events or protests, both offline and online.”<sup>1</sup>

## Methodology

The present report is based on 21 testimonies, including six from eyewitnesses and participants in protests met with violence in Idlib; six from sources in the SNA areas, rural Aleppo; six from eyewitnesses in AANES areas; and three from sources in regime-held As Suwayda province.

STJ conducted the interviews physically and online between December 2022 and late February 2023. Notably, the interviewees’ testimonies were cross-checked with information from credible open sources.

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<sup>1</sup> “Freedom of assembly and of association”, the UN Human Rights Office of the High Commissioner, 20 December 2022, <https://www.ohchr.org/en/topic/freedom-assembly-and-association> (Last accessed: 5 April 2023).





## 1. Crackdowns in HTS-held Areas

The HTS used force against at least four assemblies during the period covered by the present report. The armed group used sticks and clubs against protesters in areas of Bab al-Hawa and Atme Camp and conducted arrests among them. Furthermore, the group prevented a planned protest in front of the Turkish military base in Idlib.

### 1.1. A protest banned in Al-Mastumah Camp

On 11 November 2022, the HTS prevented protesters in Idlib from demonstrating in front of the Turkish military base in Almastumah Camp, which is the largest base in the area, on the pretext of not having permission.

The protest was planned following a bombardment hit an IDP camp near Kafr Jales village in northern Idlib on 6 November 2022, killing and injuring civilians.<sup>2</sup>

For more insights, STJ interviewed a media activist who intended to cover the protest, he recounted:

“On our way to al-Mastumah, members at al-Mutlaq checkpoint of the HTS told us to get out of the cars. They asked about our destination; we told them that we were going to cover the protest. They yelled that the protest was prevented and that we must return from where we came or they would confiscate our filming equipment otherwise. Finally, they said in a tone of outrage: ‘How you dare cover an unauthorized protest?’”

In the same context, STJ interviewed a civilian who was among dozens who headed to al-Mastumah camp to participate in the planned protest but met with mobilized HTS security forces. The interviewee recounted:

“Members at the first HTS checkpoint, which is 1 km away from the camp, warned us from approaching the camp without permission. We told them that activists, indeed, applied for permission for this protest, but the HTS refused to grant them. They replied that we could go and discuss the matter with the group’s public relations office.”

### 1.2. Attacks on protesters and media workers in Bab al-Hawa

On 12 September 2022, HTS militants armed with clubs attacked a Syrian protest convoy in Bab al-Hawa marching towards the Turkish border as part of a “peace caravan” attempting to cross to Europe. An unnamed media activist who witnesses the incident testified to STJ:

“That morning, 300 to 400 people taking part in the “Peace Caravan” gathered about 1 km away from Bab al-Hawa border crossing to attempt to enter Turkey and cross to the EU via it. Those people were prompted by their fear of the Syrian regime retaking their areas as well as the deteriorating economic situation. Among the protesters, there were refugees forcibly deported from Turkey in the last few months.”

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<sup>2</sup> “Russia Denies its Story about Bombing Camps in Idlib” (in Arabic), Enab Baladi, 7 November 2022, <https://www.enabbaladi.net/archives/612953> (Last accessed: 5 April 2023).







HTS' General Security used force to prevent the protesters from reaching Bab al-Hawa crossing. Group members attacked dozens of people waiting to join the convoy and beat up media activists, confiscating their equipment, according to the activist.

“The protest was not authorized; the HTS’ public relations office only gives permission only to the protests and assemblies aimed to support the group’s political attitudes. Notably, those who go out in such demonstrations are usually HTS members or loyalists”, the activist added.

In the same context, a witness from the “Peace Caravan” confirmed that HTS elements threatened to carry out mass arrests against the protesters, which made the latter disperse.

Several media outlets documented the HTS attacks against the “Peace Caravan”. On 12 September 2022, Syria TV aired two videos; one shows the flee of Syrians gathered in front of the Bab al-Hawa border crossing with Turkey after being forcibly dispersed by members of the HTS,<sup>3</sup> and the second shows HTS members beating up activists and journalists, confiscating their equipment.<sup>4</sup>



Image 1- A screenshot of a video posted online on 12 September 2022, by activists and locals shows protesters fleeing after being forcibly dispersed by the HTS.

<sup>3</sup> A video showing HTS members dispersing participants of “Peace Caravan”, Syria TV, 12 September 2022, <https://www.youtube.com/watch?v=j9BfESTvU9s> (Last accessed: 5 April 2023).

<sup>4</sup> A video showing HTS members attacking media workers and activists, Syria TV, 12 September 2022, <https://www.youtube.com/watch?v=E5KBBTsTQ70> (Last accessed: 5 April 2023).





### 1.3. Children were not spared in Atme

At noon on 11 February 2022, a large number of IDPs in Atme Camp held a protest over the killing of a woman called Fatima al-Hameed the day before. The victim was shot while on her way to bring Mazut (fuel oil), passing near the border between HTS-held areas in Idlib and SNA areas in northern Aleppo. HTS members shot in the air to disperse the protest and arrested some protesters, among them children.<sup>5</sup>

One unnamed protester told STJ that the object of the protest was to denounce the HTS’ tyrannical rule over Idlib. The protester recounted:

“20 minutes after the protest had started, vehicles of the HTS arrived; 30 heavily armed militiamen got out and started shooting in the air, thus we flee. Amidst this, the group’s security forces arrested several protesters, including children, and drove them to an unknown destination.”

STJ learned from credible sources that the HTS arrested 13 protesters and released them after three days, during which they were severely beaten, insulted, and forced to sign a pledge not to protest against the HTS without permission.



Image 2- A screenshot of a video published by Shaam Network on 11 February 2022, shows a side of a protest in Atme Camp.

<sup>5</sup> A video showing massive demonstrations in Atme Camp against al-Julani and the latter responding with live bullets, Shaam Network, 11 February 2022, <https://www.youtube.com/watch?v=qihZIEkr7uo> (Last accessed: 5 April 2023).







Image 3- A screenshot of a video published by Shaam Network on 11 February 2022, shows protesters in Atme camp fleeing after being forcibly dispersed by the HTS.

## 2. Crackdowns in SNA Areas

STJ monitored crackdowns on 11 protests and assemblies in SNA-held areas, including A'zaz, al-Bab, and Afrin. The protesters as well as the media workers faced live bullets, beating, and arrest.

### 1.4. Protesters in al-Bab beaten, arrested

On 16 November 2022, militias of the SNA’s military police attacked civilians and media activists protesting in al-Bab to demand accountability of those responsible for the killing of activist Muhammed Abdellatif Abu Ghannoum.<sup>6</sup> A protester testified to STJ on the incident saying:

“The protest was spontaneous. We set up a mourning tent in the center of al-Bab city. Almost 24 hours later, the militias of the military police attacked the tent; they beat the protesters with sticks and clubs and used gas canisters and pepper spray against them. Furthermore, some of the protesters were arrested and taken to an unknown destination; however, they were released shortly after.”

Reporting the incident, Syria TV published a video on 16 November 2022,<sup>7</sup> showing the protest in al-Bab and the heavy police presence in it.

<sup>6</sup> “The assassination of the activist Muhammed Abu Ghannoum and his wife in al-Bab city, northern Aleppo, Syria TV, 7 October 2022, <https://www.syria.tv/186075> (Last accessed: 5 April 2023)

<sup>7</sup> A video posted on Syria TV’s official page on Twitter on 16 November 2022, [https://twitter.com/syr\\_television/status/1592940572968472584?s=20&t=iFEPeexpRWEqVqi7EWZrpA](https://twitter.com/syr_television/status/1592940572968472584?s=20&t=iFEPeexpRWEqVqi7EWZrpA) (Last accessed 5 April 2023).





### 1.5. Media workers also attacked in al-Bab

On 1 August 2022, medical workers protested outside the al-Bab hospital, against the discrimination in pay between the Turkish and Syrian medical workers. The civil police of the Ministry of the Interior – which operates under the Syrian Interim Government (SIG) – attacked the media activists, who were covering the protest, and broke their equipment.<sup>8</sup>

One unnamed medical worker who took part in the protest recounted to STJ:

“Syrian medical workers was able to access the salary scale of the Turkish physicians and nurses working in the SNA areas. Ironically, they found that the Turkish medical staff is paid double that of Syrian doing the same job. This fact incited protests among medical workers in Afrin, A’zaz, and al-Bab, demanding the unification of the salary scale of Syrian and Turkish medical workers to achieve justice for all.”

The source added:

“The local council of the city did not grant us permission to protest. However, we held a peaceful sit-in outside al-Bab Hospital. When the media activists arrived to cover the event, members of the civil police attacked them and beat them brutally with sticks, injuring some, and arresting others.”

STJ obtained further details about the incident from one of the media activists who confirmed that the civil police beat eight media activists severely, which resulted in one of them having a broken nose. Furthermore, the police hold the activists for hours at the police station and broke an activist’s equipment.



Image 4- A screenshot of a video shows a side of the protest held by the medical staff in al-Bab city.

<sup>8</sup> A video posted on Syria News’ official page on Twitter on 1 August 2022, <https://twitter.com/Syriatvnews/status/1554048040385728518?s=20&t=5jimgYEMgGyDViWgzc2BGw> (Last accessed 5 April 2023).







Image 5- A screenshot of a video published by Syria TV on 1 August 2022, shows a side of the attack on media activists in Idlib.

### 1.6. Protesters in Afrin faced live bullets

On 4 June 2022, the cities of Afrin, A'zaz, and al-Bab witnessed mass protests over increases in electricity prices.

Hundreds of civilians gathered in front of the Syrian-Turkish electricity company “STE enerji”. The peaceful gathering was violently broken up by SNA militias, who opened fire on protesters. One unnamed protester recounted to STJ:

“We came out because of the frequent power outages and the massive hike in prices. Protesters gathered in front of the electricity company; they afterward blocked the road and set fire to tires. Suddenly, members of the military police and escort elements of the Turkish governor/Wali started shooting in the air and then at the protesters, leaving casualties. Furthermore, a civilian died of suffocation from the burning tires’ smoke and a member of the Eastern Army/Jaysh al-Sharqiya was shot dead by the Wali escorts.”

The witness confirmed that several media activists applied several times to Afrin’s local council to authorize the protest, but to no avail.





The same witness told STJ that the day before that, a protest was held on al-Vellat Street in Afrin. It got out of control; the protesters broke into the electricity company and burned it. On 3 June 2022, a video circulated on local social media pages, including “Efrîn lezgîn” on Facebook,<sup>9</sup> depicts the break into the electricity company in Afrin.

### 1.7. Protesters shot near Abu al-Zendin crossing

On 21 May 2021, dozens of civilians protested near Abu al-Zendin crossing, southern al-Bab city, over denying displaced from Umm Batnah village, central Quneitra, entry to the city of al-Bab, on the pretext of not obtaining permission from the Turkish Army.<sup>10</sup>

Members of the Sultan Murad Division affiliated with the Turkish-backed SNA opened fire on the protesters to disperse them, leaving four with injuries of varying degrees.<sup>11</sup>

An unnamed media activist who partook in this protest recounted to STJ:

“When the number of protesters increased, members of the Sultan Murad Division attacked them with sticks and hit them brutally. Afterward, the Division members came out from among the protesters and opened indiscriminate fire on them injuring four. No one was able to help those wounded until the Division members withdrew from the scene.”

Another unnamed participant in the protest testified to STJ that members of the Sultan Murad Division surrounded the protesters from the south and west, shot indiscriminately at them, and then attacked them with sticks. The Division members beat two media activists and detained them for two hours in a square near the crossing, the source added. This protest was not authorized by the local council of al-Bab, competent for issuing permissions for such protests and assemblies, according to the source.

## 3. Crackdowns in AANES Areas

STJ monitored at least five assemblies in AANES areas, including in Deir ez-Zor, met with violence by militias affiliated to the AANES or licensed by it, such as the Revolutionary Youth (RY).<sup>12</sup> Moreover, in the context of the authorities' crackdown on dissent, the Kurdish National Council (KNC) was prevented from holding its fourth conference in the city of Qamishli/Qamishlo in November 2022.

### 3.1. The KNC faced oppression

On 14 November 2022, the Kurdish internal security forces, Asayish, prevented the KNC from holding its fourth conference planned to be held in the Zana Hall in Qamishli/Qamishlo.

In this regard, a member of the KNC narrated:

<sup>9</sup> A video posted on “Efrîn lezgîn” Facebook page on 3 June 2022, <https://www.facebook.com/watch/?v=746669426535994&t=15> (Last accessed: 5 April 2023).

<sup>10</sup> “The Turkish Army Denies Quneitra’s Displaced Residents Entry to Rural Aleppo” (in Arabic), Enab Baladi, 21 May 2021, <https://www.enabbaladi.net/archives/483127> (Last accessed: 5 April 2023).

<sup>11</sup> A video posted on the official Telegram account of the Violations Documentation Center in Syria (VDC) on 21 May 2021 <https://t.me/vdcnsy/15455> (Last accessed: 5 April 2023).

<sup>12</sup> The RY is licensed by the AANES and is locally known as Taveras Ciwanên Şoreşger. The RY was established in 2011 and despite the founders’ efforts to promote the group as an independent entity, it has been administratively affiliated with the Democratic Union Party (PYD).





“At 9:00 of the evening preceding the conference, the Asayish told the owner of Zana Hall to notify the KNC leaders that the conference ought to be authorized. Actually, the KNC did not see the need for the authorization, especially since there is an understanding we signed with the Asayish with U.S. mediation and under the sponsorship of Mazloum Abdi, the commander-in-chief of the Syrian Democratic Forces, provided for allowing the KNC to conduct its activities without pre-permissions.”

The source added:

“Leaders of the KNC tried to touch out the U.S. and SDF brokers in order to solve the problem but to no avail. Eventually, the conference was relocated to Kurdistan Democratic Party’s (KDP or PDK) office in the western neighborhood of Qamishli/Qamishlo. Once the conference began, 40 militias of the Asayish, including members of the emergency forces, deployed in the western neighborhood, blocked the roads to the office and told officials of the KNC to stop the meeting.”

The Asayish militias gave the KNC members five minutes to end the conference, according to the source who went on to say:

“The Asayish militias arrested none of the conference members, but prevented them from filming; the members did not object at the behest of the KNC leaders. The latter remained in the office and held a meeting, with a patrol of the Asayish waiting outside; the meeting ended without repercussion. The KNC decided to hold its future meetings secretly for fear of Asayish restrictions and attacks.”

A media activist who was present in Zana Hall to cover the fourth conference of the KNC

“We arrived at Zana Hall at 9:15 am; we learned that the Asayish prevented the KNC from holding the conference there and that the latter relocated it to the KDP’s office in the western neighborhood of Qamishli/Qamishlo; I headed there with other media activists. After members of the conference assembled in one of the offices’ rooms, the Asayish forces deployed and prevented us from filming; however, I am sure that some activists filmed surreptitiously with their mobile phones.”

### 3.2. Protesters dispersed with sticks in rural Deir ez-Zor

On 26 October 2022, the Asayish forces forcibly dispersed several protests in villages and towns of western rural Idlib, including Hawayij Bumasa’, Hamar al-Ali, As Sawa, and Hawayij Thiab. The protests denounced the SDF policies and demanded administrative reforms and rehabilitation of living conditions.<sup>13</sup> One unnamed participant narrated to STJ:

“We came out to pressure the SDF to reverse its decision on banning the niqab in schools, as this contradicts our customs. We also called for the release of detainees and the improvement of living conditions of the population of Deir ez-Zor. Arguing the protest was not authorized; militias of the Asayish attacked the protesters with sticks and clubs and started shooting in the air to disperse them. Afterward, the Asayish set checkpoints in the area to prevent further large assemblies.”

<sup>13</sup> A video posted on Syria TV’s official page on Twitter on 26 October 2022 [https://twitter.com/syr\\_television/status/1585156774339874816?s=20&t=fLtr09msgVMitiQiLTKaSw](https://twitter.com/syr_television/status/1585156774339874816?s=20&t=fLtr09msgVMitiQiLTKaSw) (Last accessed: 5 April 2023).







Image 6- A screenshot of a video published by Naher Media of the protest that took place in western rural Deir ez-Zor on 26 October 2022.

Sources and eyewitnesses told STJ that obtaining permission for an assembly or a protest in AANES areas requires submitting a request to a local municipal authority, which would review the request and respond to it within 24 hours. However, in the event that the object of the protest or assembly does not contradict the AANES’ attitudes and policies the Asayish office will automatically authorize it without requesting a municipality’s permission.

### 3.3. Protesters and media activists attacked in Qamishli/Qamishlo

On 28 September 2022, members of the RY, licensed by the AANES, attacked civilians and media activists who turned up in a protest called by the KNC against the AANES’ closure of several centers, institutes, and private schools that teach the Syrian government (GOS) curricula.<sup>14</sup>

On 24 September 2021, a year before this incident, dozens assembled in front of the UN headquarters in Qamishli/Qamishlo at the call of the KNC to protest the fuel price hikes and the deteriorating living conditions. The protest was met with a violent crackdown; RY members attacked the protesters and the media activists with sticks and stones. An unnamed participant explained:

“Once we gathered outside the UN headquarters, ten to 15 members of the RY, masked with their group’s flag, began shouting insulting slogans at the protesters. That escalated to an attack with sticks and stones against the protests. The Asayish forces intervened the stop the RY members but they failed to stop any of them.”

<sup>14</sup> “Northeastern Syria: The Revolutionary Youth Attacks Journalists and Protestors”, STJ, 21 October 2022, <https://stj-sy.org/en/northeastern-syria-the-revolutionary-youth-attacks-journalists-and-protestors-2/> (Last accessed: 5 April 2023).





The witness said that a member of the RY hit him with a stick causing him to bleed and broke the camera of a media activist. Furthermore, the RY beat a Rudaw TV cameraman and injured several protesters in the head with stones.

STJ met another participant in this protest, he recounted:

“It was 15 minutes into the protest when I arrived. As I approached, I saw two young men in their 20s showing bruises and cuts on their heads and a man in his 40s bleeding from his head, nose, and mouth; there was also a media activist who had her camera broken. Some protesters told me that the RY attacked the protesters. Five minutes after I arrived the RY re-attack the protesters with sticks; I witnessed the beating of a media activist. The Asyaish forces intervened to prevent further escalation but did not arrest any.”

The source continued:

“The protest included a large number of civilians of the city’s various components, as they share the same living conditions. The protesters did not retreat to the violence of the RY members, who withdrew with their sticks desperately.”

On 24 September 2021, local social media pages circulated a video showing RY members masked with the group’s flag, holding sticks, and shouting the slogan “Death to Treason” in Kurdish before attacking the protesters.<sup>15</sup>



الشبيبة الثورية تهاجم أنصار المجلس الوطني الكردي في سوريا - قامشليو.

Image 7- A screenshot of a video of the protest that took place in Qamishli/Qamishlo on 24 September 2021, shows masked members of the RY armed with sticks.

<sup>15</sup> A video posted on the “Kurd News” Facebook page on 24 September 2021, <https://www.facebook.com/kurdnews2011/videos/1949070891919115/> (Last accessed: 5 April 2023).





## 4. Crackdowns in Regime-held Areas

In late 2022, the GOS violently suppressed a protest in As Suwayda and rejected a request to authorize a protest in Damascus against the worsening living conditions.

### 4.1. A protester and a police officer killed

On 4 December 2022, dozens of As Suwayda locals assembled in the city center to protest living conditions. The protest angered the GOS, which thus ordered its police force to repress it. The police opened fire at the protesters killing a civilian and a policeman.<sup>16</sup>

A witness confirmed that the protest was organized through social media to demand accounting for the corrupt officers in the Water Corporation and the Mahrukat Company (The Syrian Company for the Storage and Distribution of Petroleum Products), with the aim to increase the supply of fuel entering the territory, including the mazut and gas, which would enable more hours of electricity. The witness narrated:

“We gathered at al-Mashnaqa roundabout in the city center at 11 am and then headed to the government building. There were a large number of protesters in front of the building and we saw a truck mounted with a machine gun, set by pro-regime forces. Then, security elements threw a stun grenade at the protesters, dispersing them and causing minor injuries to four. Afterward, a security element shot in the air, which further outraged the protesters.”

According to the same witness, the protest escalated to the demonstrators storming the government building and tearing up posters of the president inside and near the building. As such, security forces opened fire at the demonstrators, killing the young man Murad al-Matni, and then the same forces exchanged gunshots with local factions.

One unnamed media activist also testified to STJ on the event saying that while the protesters gathered outside the government building a car of the pro-government security forces came and threw a stun grenade. With this, the protesters started calling for regime overthrow while burning the Russian flag and a poster of Bashar al-Assad. In response, a police officer opened fire at the protesters killing one and wounding many. That was followed by exchanges of gunfire between the regime security forces and local factions led to the fall of a police officer.

The same source confirmed that the protest was organized without obtaining permission from the responsible Arab Socialist Ba’ath Party; as is well known the latter refuses to permit anti-government protests.

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<sup>16</sup> A video posted on “Suwayda 24” Facebook page on 4 December 2022, [https://www.facebook.com/Suwayda24/videos/1119626402029906/?extid=CL-UNK-UNK-UNK-AN\\_GK0T-GK1C&mibextid=2Rb1fB](https://www.facebook.com/Suwayda24/videos/1119626402029906/?extid=CL-UNK-UNK-UNK-AN_GK0T-GK1C&mibextid=2Rb1fB) (Last accessed: 5 April 2023).







Image 8- Slogans raised during As Suwayda protests.



خمس دقائق توثق ما حصل في السويداء يوم الأحد... كيف بدأت الاحتجاجات وما هي الهتافات، كيف تطورت لاقتحام مبنى المحافظة واحرقه وحدوث أعمال شغب، كيف بدأ إطلاق النار. كاميرا السوي...

Image 9- A screenshot of a video published by Suwayda 24 shows a protester killed during As Suwayda protests of 4 December 2022.





## 5. Legal Opinion

Freedom of expression by legitimate means, including peaceful assemblies and protests, is a fundamental human right enshrined in international law.

The [1948 Universal Declaration of Human Rights](#) states, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” (Article 19)

“Everyone has the right to freedom of peaceful assembly and association. No one may be compelled to belong to an association.” (Article 20)

In the same vein, [the 1966 International Covenant on Civil and Political Rights \(ICCPR\)](#) states, “The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.” (Article 21)

Thereby, States are obliged not to interfere with the enjoyment of the right but can restrict it in accordance with principles of legitimacy, necessity, and proportionality. Furthermore, States must leave it to the participants to determine freely the purpose or any expressive content of an assembly. The approach of the authorities to peaceful assemblies and any restrictions imposed must thus in principle be content-neutral, and must not be based on the identity of the participants or their relationship with the authorities.

The UN human rights committee responsible for monitoring the implementation of the ICCPR asserted that having to apply for “permission” from the authorities undercuts the idea that peaceful assembly is a basic right. That shall be replaced by a “notification system” which requires that those who intend to organize a peaceful assembly must inform the authorities in advance and provide certain salient details that are permissible to the extent necessary to assist the authorities in facilitating the smooth conduct of peaceful assemblies and protecting the rights of others, according to the ICCPR.<sup>17</sup>

A failure to notify the authorities of an upcoming assembly, where required, does not render the act of participation in the assembly unlawful, and must not in itself be used as a basis for dispersing the assembly or arresting the participants or organizers, or for imposing undue sanctions, such as charging the participants or organizers with criminal offences. Where administrative sanctions are imposed on organizers for failure to notify, this must be justified by the authorities. Lack of notification does not absolve the authorities from the obligation, within their abilities, to facilitate the assembly and to protect the participants.<sup>18</sup>

Syria ratified the ICCPR,<sup>19</sup> thus provisions of this Covenant and all customary provisions apply to all of Syrian territory and population. That said, armed non-State actors exercising either government-like functions or de facto control over Syrian territory and population must

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<sup>17</sup> UN Human Rights Committee, General Comment No. 37 (2020) on the right to peaceful assembly (article 21), CCPR/C/GC/37, 17 September 2020, § 70.

<sup>18</sup> Ibid. § 71.

<sup>19</sup> Ratification Status for Syrian Arab Republic, UN Human Rights Treaty Bodies, [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=170&Lang=en](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=170&Lang=en) (Last accessed: 5 April 2023)





respect and protect the human rights of individuals and groups, as is now well established in the literature and practice of international law.<sup>20</sup> In the cases detailed in this report, the authorities laws and measures requiring people to obtain permission to hold peaceful assemblies, contradict and even annul the essence of the right concerned in the sense recognized by international law. States must allow assemblies to take place without unwarranted interference and facilitate the exercise of the right and protect the participants. Article 21 of the ICCPR provides grounds for potential restrictions, but any such restrictions must be narrowly drawn. There are, in effect, limits on the restrictions that may be imposed. Playing a State role, armed non-State actors are subjected to international law provisions without any exceptions.

Furthermore, the current [2012 Syrian Constitution](#) – to which STJ has several reservations –<sup>21</sup> stipulates the right to exercise freedom of opinion and expression by legitimate means: “Every citizen shall have the right to freely and openly express his views whether in writing or orally or by all other means of expression.” (Article 42.2)

“Citizens shall have the right to assemble, peacefully demonstrate and to strike from work within the framework of the Constitution principles, and the law shall regulate the exercise of these rights.” (Article 44)<sup>22</sup>

Nonetheless, the phrase “The law shall regulate the exercise of these rights” rends Article 44 hollow. This is because the issued laws are often incompatible with the spirit of the Constitution articles. It is this which made articles of the constitution regulating rights and freedoms no more than just decoration.

In 2011, the GOS issued Legislative Decree No. 54 regulating the right to peaceful demonstration. The Decree provides for very strict conditions for a protest request, as it obliges the organizers to include the goals, causes, and slogans of the protest in the submission. Under the pervasive security grip in Syria, anyone who dares to submit a request that includes slogans against the president or his allies; Russia, Iran, or the Lebanese Hezbollah group, will be inevitably arrested. Notably, Article 5 of the aforementioned Decree stipulates that those who want to organize a demonstration have to provide a notarized document in which they pledge to take responsibility for all damages that may affect public and private properties.

Meaning that if a protester, who might in fact be prompted by the regime’s security forces, burns a public institution, the cost of the repairs, which may be huge, shall be burdened on those who requested the protest organizers. This effectively overlooks the State’s responsibility to protect the protesters and their right to peaceful assembly on the one hand and to protect public safety and the rights and freedom of others as well as public and private property on the other. In the event of violating the rights of others or damaging public or private property by individuals participating in a peaceful assembly, authorities shall hold those individuals accountable – in accordance with the governing law – not the protest organizers.

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<sup>20</sup> See e.g., OHCHR, Joint Statement by independent United Nation human rights experts on human rights responsibilities of armed non-State actors, 25 February 2021, <https://www.ohchr.org/en/press-releases/2021/02/joint-statement-independent-united-nations-human-rights-experts-human-rights> (Last accessed: 5 April 2023).

<sup>21</sup> “Racial Discrimination in the Syrian Constitution”, STJ, 1 December 2020, <https://stj-sy.org/en/racial-discrimination-in-the-syrian-constitution/> (Last accessed: 5 April 2023).

<sup>22</sup> This Article closely follows Article 39 of the 1973 Syrian Constitution, which stipulates, “Citizens have the right to meet and demonstrate peacefully within the principles of the Constitution.”







Only in very exceptional cases may an assembly be dispersed. A failure to obtain permission for an upcoming assembly, where required, does not render the act of participation in the assembly unlawful, and must not in itself be used as a basis for dispersing the assembly or arresting the participants or organizers.

Dispersal may be resorted to if the assembly as such is no longer peaceful, like if there is clear evidence of violence against the rights or property of others. That would be legitimate if the violations cannot be reasonably addressed by more proportionate measures, such as warnings, negotiation, and targeted arrests. In all cases, the [law enforcement rules on use of force](#) must be strictly followed.

An assembly that remains peaceful while nevertheless causing a high level of disruption, such as the extended blocking of traffic, may be dispersed, as a rule, only if the disruption is “serious and sustained”

Grounds for dispersing assemblies must be detailed in the law and the decisions in that regard shall be mandated to an authority that can bear the responsibility for the implementation of the decision and any ensuing negative fallout. Firearms are not an appropriate tool for the policing of assemblies. Using lethal force simply to disperse an assembly may amount to an extrajudicial killing, which is an offense that entails punishing perpetrators and redressing victims and their families.

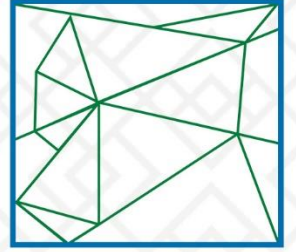
Based on this, we can conclude that, the real purpose of Legislative Decree No. 54 is to “ban” and not to “regulate” anti-government protests and assemblies. Practically, no permission has been issued so far for any protest or assembly against the government or the president. Thereby, Decree No. 54 goes against Syria’s international commitments and contradicts Article 44 of the current Syrian Constitution; thus, the GOS must not draw upon it to disperse assemblies and protests in its areas.

Notably, banning or dispersing peaceful assemblies not only violates the right to peaceful assembly but may also violate other fundamental rights enshrined in international human rights law (IHRL). The use of force, particularly lethal force, violates the right to life, according to Article 6 of the ICCPR, as well as the right to be free from torture and ill-treatment in the sense of Article 7 of the Covenant. Furthermore, detaining participants or those who intended to participate in peaceful assemblies may amount to arbitrary within the meaning of Article 9. Moreover, authorities that prevent people from moving or traveling to participate in peaceful assemblies violate Article 12.

What is more, denying victims the use of legal pathways to seek justice for the violations they faced is a violation in itself. Aside from that, violations against peaceful assemblies infringed on individuals' freedom of expression, right to form associations and political parties, and right to political participation. In addition, restrictions on peaceful assembly on the basis of political opinion or position constitute prohibited discrimination according to international law.

In the Syrian case, the use of force to disperse a peaceful protest or assembly constitutes a violation of humanitarian law regardless of whether practiced by the GOS or by the armed non-State actors exercising either government-like functions or de facto control over territory and population; including the SNA, the AANES, and the HTS. This is according to the aforementioned provisions of the Universal Declaration of Human Rights and the ICCPR.





## About Us:

Syrians for Truth and Justice (STJ) is a nonprofit, nongovernmental organization monitoring human rights violations in Syria. Founded in 2015, STJ has been based in France since 2019.

STJ is an impartial and independent Syrian human rights organization operating across Syria. Our network of field researchers monitor and report human rights violations occurring on the ground in Syria, while our international team of human rights experts, lawyers, and journalists gather evidence, examine emerging patterns of violations, and analyze how violations break domestic Syrian and international law.

We are committed to documenting violations of human rights committed by all parties in the Syrian conflict and elevating the voices of all Syrians victimized by human rights violations, regardless of their ethnicity, religion, political affiliation, class, and/or gender. Our commitment to human rights monitoring is founded on the idea that professional human rights documentation meeting international standards is the first step to uncovering the truth and achieving justice in Syria.



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